Amendments to the Drawings:

The attached sheets of drawings include changes to FIG. 1 and FIG. 2. These sheets, which include FIG. 1 and FIG. 2, replace the original sheets including FIG. 1 and FIG. 2.

Attachment: Replacement Sheets

REMARKS/ARGUMENTS

Several typographical errors, including the one noted in the Office Action, have been amended in the specification. Furthermore, the drawings have been amended to correct several numerical designations. No new matter has been added.

Pending claims 1-2 and 9 stand rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,842,823 (Olson). Applicant respectfully traverses the rejection. Claim 1 has been amended to include the subject matter of claim 6 and the intervening depending claims, indicated to include allowable subject matter. Further as to the §112, ¶2 rejection, it is respectfully submitted that the recited terminology "respectively ascending positions in the first level" distinctly claims the subject matter of the claim. That is, as detailed in the specification and recited in the claim, data fragments are stored in ascending positions, as shown in FIG. 1 of the application. For these reasons, claim 1 and the claims depending therefrom are patentable.

Claim 9 has been amended to include the subject matter recited in claims 10-11. As claim 11 was indicated to include allowable subject matter, it is respectfully submitted that amended claim 9 is patentable, as amended claim 9 also overcomes the rejection under §112, ¶2. Claims 12-16 depending from claim 9 are patentable at least for the same reasons that claim 9 is patentable.

Claim 18 has been amended to recite instructions to store unit headers that include information to identify a source of respective persistent data fragments. None of the cited art anywhere teaches or suggests the presence of such unit headers. Instead, Tashiro (contended by the Office Action to teach unit headers), nowhere teaches or suggests that the unit headers anywhere include information identifying a source of a respective data fragment. Rather, the unit headers of Tashiro include a flag identifying whether the corresponding partition is defined, and a size of the partition or a partition number. Tashiro, ¶¶26 – 27. Nowhere however does Tashiro anywhere teach or suggest that such unit headers include information to identify a source of a respective data fragment. Accordingly, claim 18 and its dependent claims are patentable.
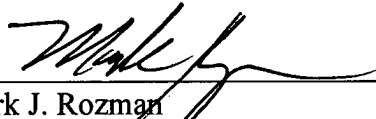
Claim 24 has been amended to include the subject matter of claims 25 and 26, indicated to include allowable subject matter. Accordingly, claim 24 and its dependent claims are patentable.

New dependent claims 31-35 are patentable at least for the same reasons as claim 1 from which they depend.

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In view of these remarks, the application is now in condition for allowance and the Examiner's prompt action in accordance therewith is respectfully requested. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504.

Respectfully submitted,

Date:_____January 17, 2006

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APPENDIX